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JOHN P. BANKSON, JR.  
(202) 835-8098

December 22, 1993

**BY HAND**

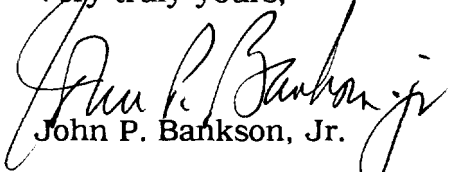
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, DC 20554

Re: Amendment of 47 C.F.R. § 76.51; MM Docket No. 93-291

Dear Mr. Caton:

On behalf of WMFP(TV), Lawrence, MA, we are filing the original and four (4) copies of its Comments in the above rule making proceeding.

Very truly yours,

  
John P. Bankson, Jr.

JPB/lp  
Enclosure

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DEC 22 1993

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 76.51 of the  
Commission's Rules to Include  
Lawrence, Massachusetts in the  
Boston-Cambridge-Worcester,  
Massachusetts, Television Market

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MM Docket No. 93-291

To: Chief, Mass Media Bureau

**COMMENTS OF MFP, INC.**

MFP, Inc., licensee of WMFP(TV), Channel 62 (independent), Lawrence, MA ["MFP"], by its attorneys and pursuant to 47 C.F.R. § 1.415, files its comments in response to the Notice of Proposed Rulemaking [NPRM] released November 18, 1993 [DA 93-1363] proposing to amend 47 C.F.R. § 76.51 to change the television market designation of "Boston-Cambridge-Worcester, Massachusetts," to "Boston-Cambridge-Lawrence-Worcester, Massachusetts".

1. MFP petitioned for this amendment to § 76.51 and urges that it be adopted as soon as feasible. MFP's Petition for Rule Making, as supplemented, establishes a compelling factual case for the addition of Lawrence which is acknowledged in the NPRM. We restate some facts to place this proposal in context with the recent Report and Order in MM Docket No. 93-207 amending § 76.51 to add Riverside to the "Los Angeles-San Bernardino-Corona-Fontana, California" market released December 7, 1993 [DA 93-1444] and to distinguish the addition of Lawrence to the Boston hyphenated market from proposed additions of Riverhead, New York and Newton, New Jersey in the Notice of

Proposed Rule Making in MM Docket No. 93-290 released November 16, 1993 [DA 93-1349] to the "New York, New York-Linden-Paterson-Newark, New Jersey" television market.<sup>1</sup>

2. A brief summary of basic facts supporting the addition of Lawrence to the Boston-Cambridge-Worcester television market is as follows:

A. Lawrence and WMFP(TV) are in the Boston (Derry & Manchester & Worcester, MA)" ADI as defined by Arbitron which is the sixth market nationally with 2,121,400 television households.<sup>2</sup>

B. Lawrence is a listed community in the Boston-Lawrence-Salem, MA/NH Consolidated Metropolitan Statistical Area [CMSA] in the 1990 U.S. Census.

C. Lawrence is some 25 miles North of Boston, and WMFP(TV) competes for audience, programming and revenues with other television stations in the market. Lawrence is much closer to Boston than Worcester, a city included in the Boston hyphenated market.

D. WMFP(TV)'s transmitter site is in downtown Boston and its Grade B service area is entirely within the Boston ADI.

E. WMFP(TV)'s Grade B contour resembles the basic shape of the Grade B contours of most Boston market stations, but its area is smaller. It is contained within the larger Grade B service areas of the Boston television stations.

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<sup>1</sup> Comments on these proposals were invited in fn. 14 [p. 3] of the NPRM in this proceeding.

<sup>2</sup> TV Factbook, Stations' Volume 61, 1993, p. A-1.

3. Based on the foregoing facts and other facts in MFP's petition, the NPRM concludes [¶ 9] that a sufficient case for redesignation of the hyphenated Boston market to include Lawrence has been made. The justification for adding Lawrence is similar factually but more compelling than the recent amendment to § 76.51 to add Riverside to the "Los Angeles-San Bernardino-Corona-Fontana" television market, the second ranked ADI market nationally with 4,962,300 television households.<sup>3</sup> Riverside is more than 60 miles East of Los Angeles, more than twice as far from the principal community in the market than Lawrence which is 25 miles North of Boston. While the Riverside television station's Grade B service area is roughly comparable to those for the San Bernardino and Fontana television stations, it is removed from and not similar to the Grade B contours of Los Angeles stations. Since Riverside has been added to the "Los Angeles-San Bernardino-Corona-Fontana" market, *a fortiori*, Lawrence should be added to the "Boston-Cambridge-Worcester" market.

4. Comments were invited in the NPRM (fn. 14) on hyphenation in very large markets, an issue raised for the "New York, New York-Linden-Paterson-Newark, New Jersey" market, the ADI ranked first in the country with 6,760,400 television households,<sup>4</sup> by proposals to add Newton, New Jersey and Riverhead, New York in MM Docket No. 93-290, *supra*. The hyphenation issue presented for the New York market is clearly distinguishable from the Boston market. There the two communities seeking hyphenation are located far from

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<sup>3</sup> *Ibid*, fn. 2.

<sup>4</sup> *Ibid*, fn. 2.

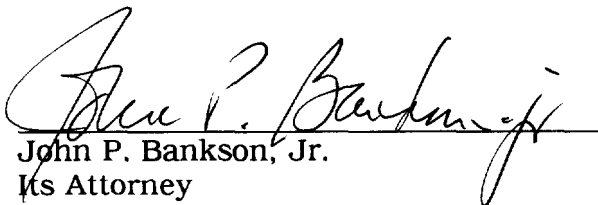
New York City. Riverhead is approximately 72 miles East on Long Island and Newton is approximately 45 miles West of New York. The two communities are more than 100 miles apart and both are much further from New York than Lawrence is from Boston. That NPRM also raises questions about alternative possibilities for hyphenations which would not include all stations at "opposite ends" of a large ADI market area. The concerns expressed in the NPRM for the New York market do not apply to the addition of Lawrence to the Boston market. Lawrence is not a community on the fringes of the Boston ADI.

5. For the reasons set forth in the MFP Petition for Rulemaking as supplemented and the NPRM in this proceeding, it is respectfully requested that, as soon as feasible, the Commission issue a Report and Order amending 47 C.F.R. § 76.51 to change the "Boston-Cambridge-Worcester, Massachusetts" market to the "Boston-Cambridge-Lawrence-Worcester, Massachusetts" market.

Respectfully submitted,

MFP, Inc.

By:

  
John P. Bankson, Jr.  
Its Attorney

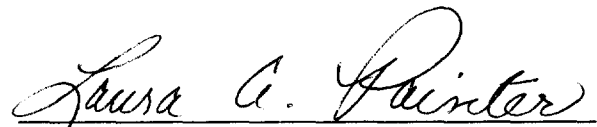
Hopkins & Sutter  
888 Sixteenth Street, N.W.  
Washington, DC 20006  
(202) 835-8098

December 22, 1993

**CERTIFICATE OF SERVICE**

I, Laura A. Painter, hereby certify that on this 22nd day of December, 1993, a copy of the foregoing was served by hand on the following:

Alan E. Aronowitz, Esquire  
Federal Communications Commission  
2025 M Street, N.W., Room 8002  
Washington, DC 20554

  
Laura A. Painter